

Delegated Report		Expiry Date:	29/10/2020
(Members Briefing)		Consultation Expiry Date:	N/A
Officer		Application Number(s)	
Leela Muthoora		2020/4020/A	
Application Address		Drawing Numbers	
119 Tottenham Court Road, London, W1T 5AW		See draft decision notice	
Proposal			
Display of 2x externally illuminated fascia signs and 1x externally illuminated hanging sign to public house (retrospective).			
Recommendation:	Grant advertisement consent		
Application Type:	Advertisement Consent		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	Consultation is not required for advertisement consent.			
Adjoining Occupiers:	No. of responses	00	No. of objections	00
Summary of consultation responses:	No comments were received from local residents			
CAAC/Local groups comments:	<p>A letter of objection was received on behalf of the Bloomsbury and Fitzroy Square CAACs. Their objection in full as follows:</p> <ol style="list-style-type: none"> 1. The Bloomsbury CAAC objected on the following grounds: This objection is raised on behalf of the Bloomsbury and Fitzroy Square CAACs. The application site falls within the Fitzroy Square CA and falls within the setting of the Bloomsbury CA. The historic appearance of public houses is of importance to Central London's conservation areas. Well preserved historic examples are an important feature in the street environment, and deserve proper conservation and protection. It is unfortunate that there are ever fewer well preserved examples, due to the cumulative effect of illegal alterations. Those that do retain some element of their historic appearance deserve protection and restoration. 2. The Northumberland Arms currently retains an appreciable amount of its historic character and appearance, despite being in a poor state of repair, and there appearing to have been an accumulation of small unauthorised alterations over the past decade (check Google Streetview). The proposed changes to 'modernise' the appearance of the ground and first floors would cause harm to its historic appearance. 3. We take particular issue with the extensive use of black paint on the ground and especially first floors and the removal of heritage style lamps from the fascia board. The design as a whole pays no regard to the historic appearance of 119 Tottenham Court Road itself and the wider historic environment. Particularly use of the black paint on the first floor would clash significantly with the white/cream paint used for detailing on the upper storeys of this building and the wider area. 4. The extensive use of black paint on buildings in this area at street level and above is also historically associated with areas of street crime and particularly prostitution / drug use in the red light district of nearby Soho. Accordingly it should be avoided in any development proposal. 5. We would recommend that any application to modify the appearance of this public house takes restoration of its historic appearance as a starting point, using the numerous examples throughout the Bloomsbury, Fitzroy Square, and Charlotte Street Cas. 			

Officer's response:

1. *It is acknowledged that several alterations have been made in the past without seeking planning permission or advertisement consent.*
2. *As the CAAC has observed, there have been a several alterations to the pub, however, many of these alterations have taken place more than 10 years ago and are therefore immune from enforcement action. We seek to preserve and enhance as far as planning controls allow. Therefore, this decision is limited to scope of the alterations made under the control of advertisements. The awnings have been in place for more than 10 years.*
3. *The painting of the exterior is not restricted on this building. However, the applicants have removed the black paint from the first floor in response to the objections made.*
4. *The heritage style lamps were removed prior to the application and were non-original additions. The introduction of mid-level lamps illuminates the outside seating area and while not traditional in design they are not considered so harmful to warrant a refusal.*

Site Description

The application site refers to a four-storey building on the west side of Tottenham Court Road at the junction with Grafton Way. The ground floor level is in use as a public house with residential flats at the upper floors.

The building is not statutorily listed but is situated within the Fitzroy Square Conservation Area.

Relevant History

The planning history for the application site can be summarised as follows:

- **9301430** - Erection of metal railings plinth wall outside entrance to public house. **08/05/2003**
- **32864** Alterations to the ground floor frontage including the alteration of a doorway on the Grafton Way elevation, the provision of a new doorway on the corner and the removal of a door on the Tottenham Court Road frontage. **Granted 26/10/1981**

Relevant policies

The Town and Country Planning (Control of Advertisements) Regulations 2007 permits the Council to only consider amenity and public safety matters in determining advertisement consent applications.

National Planning Policy Framework (2023)

The London Plan 2021

Camden Local Plan (2017)

- D4 Advertisements

Camden Planning Guidance:

- CPG Advertisements (March 2018)

Fitzroy Square Conservation Area Statement 2010

Draft Camden Local Plan

The Council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications which has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. The Proposal

1.1. Planning permission is sought for the following signs

- a) Display of one externally illuminated aluminium projecting hanging sign to the corner elevation at first floor level, 1.20m high x 0.9m wide x 0.11m deep, at 3.07m from ground, 2.13m projection from building, illuminated at 400cd/m.
- b) Display of two externally illuminated aluminium fascia sign signs: 0.28m high x 4.40m wide x 0.03m, 3.09m from the ground & 0.03m projection from building, illuminated at 400cd/m.
- c) Display of one non-illuminated aluminium amenity board 1.53m high x 1.27m wide x 0.42m deep, 0.83m from ground, 0.42m projection from building.

2. Revisions

2.1. During the course of the assessment revisions were made to the proposals and can be summarised as follows:

- a) Removal of the internally illuminated menu box from the railings to Grafton Way.
- b) Removal of the heat lamps beneath the awnings on Grafton Way elevation.

2.2. It is however noted that these items have been installed and the Council's enforcement team are aware.

3. Assessment

3.1. The principal considerations material to the determination of this application are as follows:

- a) The visual impact upon the character and appearance of the host property and the Conservation Area.
- b) The impacts on residential amenity and public safety.

4. Visual amenity - Design and Conservation

4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area. Policy D4 states The Council will require advertisements to preserve or enhance the character of their setting and host building and amenity of the area. Advertisements must respect the form, fabric, design, and scale of their setting and be of the highest standard of design, material, and detail.

- 4.2. The Fitzroy Square Conservation Area Statement (2010) advises that visual clutter from excessive signage has eroded the character of the conservation area. Camden Planning Guidance advises that signage should be non-illuminated or externally illuminated in a conservation area. The external trough lights have been in place since 2008 and therefore this application seeks to regularise their permission.
- 4.3. The proposed externally illuminated signs are considered acceptable in number, size and location and appropriate in design as they take into account the character of the host building and surrounding conservation area. The number of fascia signs are considered appropriate as they are positioned over two elevations at a typical height and the projecting sign replaces the existing sign in hung from the existing bracket. While timber is generally considered more appropriate material for fascia signs, aluminium is a high-quality material, the detailed design is sympathetic to the external fabric of the building and is not considered harmful in this part of the conservation area. In the context of the host building is a public house, the signs are considered acceptable.
- 4.4. The projecting sign bracket is oversized but has been in place since 2008 and can be seen in historic photos from circa 1950. The projecting sign replaces a projecting sign of the same size in the same location and method of illumination and differs in material. While the loss of the traditional design on the hanging sign is unfortunate, its loss is not considered as detrimental as to warrant a reason for refusal on these grounds.
- 4.5. The pub includes existing elements that do not form part of the advertisement consent application but require planning permission. The awnings replace existing awnings that have been in place since 2008, and therefore immune from enforcement action. Due to their depth matching the extent of the boundary in use as a seating area on Grafton Way they do not form an unduly dominant element to the frontage and are considered appropriate in this instance.
- 4.6. The heaters and illuminated menu box will be passed to enforcement team for further action as below. The heaters beneath the awnings on the Grafton Way elevation shown on drawing numbers 596331-1 Rev A and 596331-2 A, do not form part of this application and do not benefit from planning permission. As a result, this will be passed to the enforcement team for further action.
- 4.7. The illuminated menu box is considered overly large and visually dominant obscuring the architectural features of the glazing bars. Due to its height, position and level of illumination, it has a detrimental impact on the host building. Following officer advice, the applicant agreed to remove the internally illuminated menu box from the proposals and place inside the building behind the glazing and provided revised drawings; therefore, the menu box does not form part of the proposals. Its inclusion in the report is for clarity as it is passed to the enforcement team for further action to ensure its removal from the external elevation.
- 4.8. The revised proposed illuminated signs would not cause a detrimental impact upon the character and appearance of the host property and would preserve the special character of the conservation area. Considerable importance and weight have been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

5. Amenity & Public Safety

- 5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as artificial light spill that can significantly change the character of the locality. The signs replace existing signage of the same dimensions in the same position as previously consented externally illuminated signs.
- 5.2. Impact on public safety: The fascia and projecting signs are not considered to raise public safety issues in terms of obstructing traffic signs or distracting drivers. The signage would be in a typical position at fascia level with a hanging sign in a typical position for a pub, therefore, would not be considered hazardous to road users, and would not have a negative impact on public safety.
- 5.3. The proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring resident. The development is thus considered to be in accordance with planning policies A1, D1 and D4.

6. Conclusion

- 6.1. The externally illuminated fascia and projecting signs are considered acceptable in terms of size, siting, materials and method of illumination. As such, they are in general accordance with policies A1, D1 and D4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

7. Recommendation

- 7.1. Grant Advertisement Consent

8. Enforcement

- 8.1. The applicant has installed three heat lamps beneath the awnings on the Grafton Way elevation, as shown on existing drawing numbers 596331-1 Rev A and 596331-2 Rev A. Due to their impact on the building they require planning permission and will be passed to the enforcement team and the Council may commence proceedings.
- 8.2. An internally illuminated menu box is displayed on the Tottenham Court Road elevation. This will be passed to the enforcement team and the Council may commence proceedings. An informative will be attached to the decision advising of enforcement action to be taken.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 1st July 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.